

D-1-GN-11-003130

~~~~~

**TRAVIS COUNTY, TEXAS**

**MARIO FLORES, *et al.*,**

## 200TH JUDICIAL DISTRICT

## 200TH JUDICIAL DISTRICT

## 200TH JUDICIAL DISTRICT

***Defendants.***

tiffs  
 L. WILLIAMS, *et al.*,  
 adants.

§  
 §  
 §  
 §  
 §  
 §  
 §  
 §  
 §

TRAVIS COUNTY, TEXA  
 200TH JUDICIAL DISTR

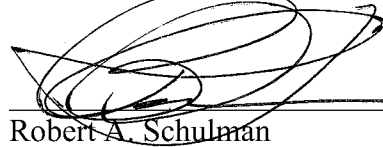
**PLAINTIFFS' NOTICE OF INTENT TO COMPLY WITH  
 PROTECTIVE ORDER AND FERPA NOTICE**

o Flores, individually and as next friend of Aidan Flores; Chr  
 and as next friend of Abby Baerq; Dana Allen, individually a  
 Allen; Jason and Sarah Christensen, individually and as next  
 ce and Grace Christensen; Brooks Flemister, individually and as  
 er; and Texas Charter Schools Association, Plaintiffs in the abo  
 attached Notice of Intent to Comply With Protective Ord  
 bit A), issued on August 17, 2012, by their counsel in the lawsuit f  
 of the Order of Consolidation of their lawsuit under the above-style  
 Notice was not formally filed of record. The Notice is being file

Mario Flores, individually and as next friend of Aidan Flores; Christopher Baerga, individually and as next friend of Abby Baerga; Dana Allen, individually as next friend of Teal Evelyn Allen; Jason and Sarah Christensen, individually and as next friends of their children Luke and Grace Christensen; Brooks Flemister, individually and as next friend of Ulric Flemister; and Texas Charter Schools Association, Plaintiffs in the above-styled action, submit the attached Notice of Intent to Comply With Protective Order and FERPA Notice (Exhibit A), issued on August 17, 2012, by their counsel in the lawsuit filed by Plaintiffs before entry of the Order of Consolidation of their lawsuit under the above-styled and numbered cause; such Notice was not formally filed of record. The Notice is being filed at this time to alleviate any concerns with regard to named Plaintiffs' intent to protect confidential and FERPA-protected information disclosed to their counsel.

Respectfully submitted,

**SCHULMAN, LOPEZ & HOFFER, LLP**



Robert A. Schulman

Texas Bar No. 17834500

Joseph E. Hoffer

Texas Bar No. 24049462

Leonard J. Schwartz

Texas Bar No. 17867000

517 Soledad Street

San Antonio, Texas 78205-1508

Telephone: (210) 538-5385

Facsimile: (210) 538-5384

**Attorneys for Plaintiffs**

**CERTIFICATE OF SERVICE**

The undersigned certifies that on December 27, 2013, a true and correct copy of the foregoing and attached was served upon the following counsel of record *via* e-mail pursuant to the agreement of the parties and in compliance with the Texas Rules of Civil Procedure and the Texas Local Rules:

Shelley N. Dahlberg, Nichole Dunker-Henderson, Linda Halpern, Amanda Cochran-McCall and Beau Eccles, Texas Attorney General's Office, P. O. Box 12548, Capitol Station, Austin, Texas 78711; Attorneys for State Defendants;


Mark R. Trachtenberg, Haynes & Boone, LLP, 1 Houston Center, 1221 McKinney Street, Suite 2100, Houston, Texas 77010; and John W. Turner, Micah E. Sidmore and Michelle C. Jacobs, Haynes & Boone, LLP, 2323 Victory Avenue, Suite 700, Dallas, Texas 75219; Attorneys for Calhoun County, *et al.* Plaintiffs;

David G. Hinojosa, Marisa Bono, and Celina Moreno, Mexican American Legal Defense and Educational Fund, Inc., 110 Broadway, Suite 300, San Antonio, Texas 78205; and Roger Rice, META, Inc., 240 "A" Elm Street, Suite 22, Somerville, Massachusetts 02144; Attorneys for Edgewood ISD, *et al.* Plaintiffs;

J. Christopher Diamond, The Diamond Law Firm, PC, 17484 Northwest Freeway, Suite 150, Houston, Texas 77040; and Craig T. Enoch, Melissa A. Lorber and Amy Saberian, Enoch Kever, PLLC, 600 Congress, Suite 2800, Austin, Texas 78701; Attorneys for Efficiency Interveners;

J. David Thompson III and Philip Fraissinet, Thompson & Horton, LLP, Phoenix Tower, Suite 2000, 3200 Southwest Freeway, Houston, Texas 77027; and Holly G. McIntush, Thompson & Horton, LLP, 400 West 15th Street, Suite 1430, Austin, Texas 78701; Attorneys for Fort Bend ISD, *et al.* Plaintiffs; and

Richard E. Gray III, Toni Hunter and Richard Gray IV, Gray & Becker, PC, 900 West Avenue, Austin, Texas 78701; and Randall (Buck) Wood and Douglas Ray, 2700 Bee Caves Road, Austin, Texas 78746; Attorneys for Texas Taxpayer & Student Fairness Coalition, *et al.* Plaintiffs.



Robert A. Schulman

Unofficial copy Travis Co. District Clerk Velda L. Price

MARIO FLORES, Individually and as  
Next Friend of His Minor Child  
AIDEN FLORES; CHRISTOPHER BAERGA,  
Individually and as Next Friend of His Minor  
Child ABBY BAERGA; DANA ALLEN,  
Individually and as Next Friend of Her Minor  
Child TEAL EVELYN ALLEN; JASON AND  
SARAH CHRISTENSEN, Individually and as  
Next Friends of Their Minor Children LUKE  
and GRACE CHRISTENSEN;  
BROOKS FLEMISTER, Individually and as  
Next Friend of His Minor Child  
ULRIC FLEMISTER and  
TEXAS CHARTER SCHOOL ASSOCIATION

*Plaintiffs,*

vs.

ROBERT SCOTT, in his Official Capacity  
As the COMMISSIONER OF EDUCATION;  
TEXAS EDUCATION AGENCY;  
TEXAS STATE BOARD OF EDUCATION;  
and SUSAN COMBS, in her Official Capacity  
as the TEXAS COMPTROLLER OF PUBLIC  
ACCOUNTS

*Defendants.*

§ IN THE DISTRICT COURT

§

§

§

§

§

§

§

§

§

§

§

§

§

§

§

§

§

§

§

§

§

§

§

§

§

§

§

§

TRAVIS COUNTY, TEXAS

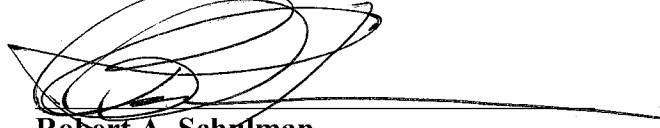
53<sup>RD</sup> JUDICIAL DISTRICT

**PLAINTIFFS' NOTICE OF INTENT TO COMPLY WITH PROTECTIVE ORDER  
AND FERPA NOTICE**

Plaintiffs hereby notify the Court and the other parties that they will comply with the Stipulated Protective Order Governing Education Records as entered by the Court. Plaintiffs intend to abide by the Stipulated Protective Order Governing Education Records, and wish access to the education records provided by the State Defendants.

Respectfully submitted,

**SCHULMAN, LOPEZ & HOFFER, L.L.P.**

A handwritten signature in black ink, appearing to read 'Robert A. Schulman', with a long horizontal line extending to the right.

**Robert A. Schulman**

Texas Bar No. 17834500

**Joseph E. Hoffer**

Texas Bar No. 24049462

**Ricardo R. Lopez**

Texas Bar No. 24013059

517 Soledad Street

San Antonio, Texas 78205-1508

Telephone: (210) 538-5385

Facsimile: (210) 538-5384

**Attorneys for Plaintiffs**

Unofficial copy Travis Co. District Clerk - Vera L. Price

**CERTIFICATE OF SERVICE**

The undersigned certifies that on August 17, 2012, a true and correct copy of Plaintiffs' Notice of Intent to Comply with Protective Order and FERPA Notice was served upon the following counsel of record *via* e-mail, pursuant to the agreement of the parties, and in compliance with the Texas Rules of Civil Procedure and the Texas Local Rules:

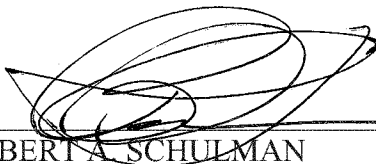
GREG ABBOTT  
Attorney General of Texas

DANIEL T. HODGE  
First Assistant Attorney General

DAVID C. MATTAX  
Deputy Attorney General for Defense Litigation

ROBERT O'KEEFE  
Chief, General Litigation Division

SHELLEY N. DAHLBERG  
Assistant Attorney General  
Office Of The Texas Attorney General  
General Litigation Division  
P. O. Box 12548  
Austin Texas 78711  
Phone: (512) 475-4071  
Fax: (512) 320-0667  
*Attorneys for Defendants*

  
ROBERT A. SCHULMAN